

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 4/12/2016	(3) CONTACT/PHONE Kate Ballantyne, Environmental Programs Manager (805) 788-2765	
(4) SUBJECT Request to approve a sole source agreement for professional environmental consulting services with Far Western Anthropological Research Group, Inc., for an amount not to exceed \$189,591 for archaeological services for the Los Osos Wastewater Laterals Connection. District 2.			
(5) RECOMMENDED ACTION It is recommended that the Board: 1. Waive the Board adopted contract for services policy and approve and execute a sole source agreement for professional environmental consulting services with Far Western Anthropological Research Group, Inc. (Far Western) for conducting archaeological services for the Los Osos Wastewater Laterals Connection (Project) in an amount not to exceed \$189,591 (\$133,736 fee estimate for base scope of work and \$55,855 contingency fund), and 2. Authorize the Public Works Director to sign amendments to the Agreement in an amount not to exceed the contingency amount of \$55,855.			
(6) FUNDING SOURCE(S) Fund Center 430 – Los Osos Wastewater Project	(7) CURRENT YEAR FINANCIAL IMPACT \$189,591.00	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) 19001632		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: 3/20/12, #18	
(17) ADMINISTRATIVE OFFICE REVIEW David E. Grim			
(18) SUPERVISOR DISTRICT(S) District 2			

Reference: 16APR12-C-2

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works

Kate Ballantyne, Environmental Programs Manager

John Waddell, Project Manager

VIA: Wade Horton, Director of Public Works

DATE: 4/12/2016

SUBJECT: Request to approve a sole source agreement for professional environmental consulting services with Far Western Anthropological Research Group, Inc., for an amount not to exceed \$189,591 for archaeological services for the Los Osos Wastewater Laterals Connection. District 2.

RECOMMENDATION

It is recommended that the Board:

1. Waive the Board adopted contract for services policy and approve and execute a sole source agreement for professional environmental consulting services with Far Western Anthropological Research Group, Inc. (Far Western) for conducting archaeological services for the Los Osos Wastewater Laterals Connection (Project) in an amount not to exceed \$189,591 (\$133,736 fee estimate for base scope of work and \$55,855 contingency fund), and
2. Approve the Public Works Director to sign amendments to the Agreement in an amount not to exceed the contingency amount of \$55,855.

DISCUSSION

The County began efforts on the Los Osos Wastewater Project in 2006, following the passage of State Assembly Bill 2701 (Blakeslee) which allowed the County to assume responsibility for development of a community wastewater system for Los Osos. Upon completion of the necessary environmental permit and funding approvals, the project began construction in May 2012. Construction includes multiple phases, and most of the \$120 million in construction contracts are now complete. The water recycling facility is now ready to accept wastewater flows from the community. A major focus of current staff efforts and planning is on the lateral connection process, where each property owner must connect to the completed project.

Los Osos contains a wealth of prehistoric cultural resources with many known sites located throughout the community. As a result, a substantial amount of cultural resources information has been produced by previous studies and plans, the Project's EIR, agency investigations, and monitoring of the project construction to date. As a requirement of the federal Section 106 process,

the County entered into Memorandum of Agreement (MOA) with the State Water Resources Control Board, the United States Department of Agriculture, and the State Historic Preservation Officer. This MOA requires the County to fully implement the *Historic Properties Evaluation and Treatment Plan* (Treatment Plan) prepared by Far Western Anthropological Research Group (2010).

The Treatment Plan details survey, excavation, monitoring, and reporting requirements for the Project. It also requires the laboratory processing of the substantial volume of cultural materials excavated during the LOCSD's project. Finally, the Treatment Plan provides for Native American coordination and monitoring throughout construction. A lateral phase- specific Treatment Plan must also be implemented during the upcoming lateral connection process. As a result, during the lateral connection process it will be necessary for archaeological surveying, monitoring, and reporting to continue. The work required will vary in intensity based on the sensitivity of the property location. Forty-nine parcels have been identified as being sensitive for cultural resources; those properties have received notification. Some unanticipated discoveries are also possible during construction of the laterals.

Sole Source Recommendation for Far Western to provide Archaeological Services for the Project

The Department's Procedural Memorandum AD-16 (Revised), dated November 7, 2011 states that Sole-Source contracts are appropriate when, "...*The firm provides a unique subject matter specialty that is required for the services sought*" and "*the firm has unique information and staffing connected to the services sought which make that particular firm a clear choice for the assignment of work.*"

Far Western has been the County's cultural consultant throughout the development of the current project, and has produced technically accurate and timely work. As a firm, they are well respected by the State Historic Preservation Office, by the State Water Board's cultural staff, and by the local archaeological community. Far Western's approach to the cultural resources work includes the participation of local archaeological specialists.

Far Western's work on the project has met all contract requirements, including full compliance with all applicable State and Federal statutes and regulations. The level of expertise and responsiveness has helped ensure that the project remains eligible for the approximate \$180,000,000 dollars in federal state funding dedicated to the project so far. It is important to the overall success of the archaeological component of the project that the level of expertise, understanding of the cultural context of the resource, and consistent scientific method be carried through the last phase of work. With their 15 years of direct experience with this Project and the cultural resources impacted by it, the Far Western team is the best choice to complete the remaining cultural resources work and ensure the integrity of the collection and the associated extensive documentation.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel is providing legal guidance on all aspects of the Project and has approved the attached agreements as to legal form and effect. Both County Counsel and the County Purchasing Department have reviewed and concurred with this sole-source recommendation.

The U.S. Department of Agriculture (USDA) and State Water Board are jointly financing the project. Numerous other County departments and local agencies are involved in other Project related efforts, which include preparation of a community Habitat Conservation Plan (Department of Planning and Building), an update to the Local Coastal Plan (Department of Planning and Building), and

development of solutions to the community's groundwater basin overdraft which is causing sea water intrusion (Golden State Water, Los Osos Community Services District, and S&T Mutual Water Company under the jurisdiction of the San Luis Obispo County Superior Court). The County Tax Collector and Auditor-Controller are involved through the issuance of bonds and collection of assessments on the tax roll.

FINANCIAL CONSIDERATIONS

The recommended agreements are for services necessary and planned for the completion of the Project. The costs, including contingencies, are included in the Project budget.

The project budget was approved by your Board on May 17, 2011 and amended on January 28, 2014. A copy is attached as "Exhibit A". See line #13.

RESULTS

Approval of the recommended actions will allow the County to retain an environmental consultant to conduct the archaeological services, ensuring that property owners can effectively construct the required sewer laterals, and that cultural resources are protected consistent with the requirements in the project environmental documents and permits.

ATTACHMENTS

1. Vicinity Map
2. Exhibit A - Project Cost
3. Contract for Professional Consultant Services Los Osos Wastewater Laterals

File: WBS 300448 LOWWP

Reference: 16APR12-C-2

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